

CAUSE NO. 03-18-00759-CR

IN THE COURT OF APPEALS
FOR THE THIRD DISTRICT OF TEXAS
AUSTIN DIVISION

FILED IN
3rd COURT OF APPEALS
AUSTIN, TEXAS
5/28/2019 4:53:17 PM
JEFFREY D. KYLE
Clerk

JESSIE LEE BROOKS, JR. §
 §
v. §
 §
THE STATE OF TEXAS §

APPELLANT’S FIRST MOTION FOR EXTENSION OF
TIME TO FILE APPELLANT’S BRIEF

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ATTORNEY FOR APPELLANT

TO THE HONORABLE COURT OF APPEALS:

COMES NOW, Appellant, JESSIE LEE BROOKS, JR., who files this First Motion for Extension of Time to File Brief and shows unto the Court as follows:

I.

Appellant's Brief is due on or before May 28, 2019.

II.

Appellant is asking for an additional thirty days to file his brief, which should make his brief due on or before June 27, 2019.

III.

Facts from the last month or so relied on to reasonably explain the need for an extension include, but is not limited to, the following:

1. Review record, perform legal research, draft brief for State of Texas (brief completed, but not yet filed) in *Chastain v. State*; Cause No. 10-18-00152-CR. (Work performed on May 6, 2019; May 8, 2019; May 9, 2019; May 10, 2019; May 13, 2019; May 14, 2019; May 15, 2019; May 16, 2019; May 17, 2019).
2. Draft, on behalf of the State and with short notice, twenty-five page response to motion to dismiss for violation of the

defendant's right to a speedy trial, and perform related legal research/review of various documents, in *The State of Texas v. Echols*; Cause No. CR04341; 220th District Court; Comanche County, Texas. (Work performed on May 17, 2019; May 20, 2019; May 21, 2019; May 22, 2019; May 23, 2019; May 24, 2019; May 28, 2019).

3. Draft and file extremely lengthy brief, legal research, motion to suspend rule regarding word limits in *Wells v. State*; Cause No. 03-18-00675-CR. (Work performed on April 29, 2019; April 30, 2019; May 1, 2019).
4. Lengthy jail meetings with client regarding potentially appealing capital murder conviction in *State of Texas v. Wilbert*; Cause No. 77530; 426th District Court; Bell County, Texas. (Work performed on May 3, 2019; May 10, 2019).
5. Review record and perform legal research, request first extension of time in *Forister v. State*; Cause No. 01-19-00030-CR. (Work performed on May 1, 2019; May 15, 2019; May 17, 2019; May 23, 2019; May 24, 2019; May 28, 2019).

6. Review record, draft *Anders* brief and related documents in *In the Interest of A.J.K., A Child*; Cause No. 11-19-00124-CV. (Work performed on May 1, 2019; May 7, 2019; May 8, 2019).
7. Review State's brief on remand from the Court of Criminal Appeals, client communications in *Lang v. State*; Cause No. 03-15-00332-CR. (Work performed on May 15, 2019; May 21, 2019).
8. Initial work (request record, docketing statement, etc.) in *Mediati v. State*, 03-19-00249-CR. (Work performed on April 29, 2019).
9. Original Petition in *Ron Bickel Construction, Inc. v. Carrillo*; Cause No. 212019S0011878. (Work performed on May 10, 2019).
10. Proposed order and related work in *Tax Appraisal District of Bell County v. Lane, Et Al*; Cause No. 246,653-C; 169th District Court; Bell County, Texas. (Work performed on May 10, 2019; May 21, 2019; May 24, 2019).
11. Doctor's Appointment on May 14, 2019.
12. Office closed on Memorial Day, May 27, 2019.

13. Required to pick my three children up early May 20-22, 2019 while wife was out of town.
14. Miscellaneous work/work-related activity (e.g., I-9/E-Verify research and give opinions, review deeds and releases of liens, etc.) (performed variously over the course of the last month).

IV.

No previous extension has been requested and granted in this matter.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Appellant asks this Court to extend his time for filing his brief to thirty (30) days from the date his brief is due.

Respectfully submitted:

/s/ Justin Bradford Smith
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CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2019, a true and correct copy of Appellant's First Motion for Extension of Time to File Brief is being or will be forwarded to the counsel below by email and/or eservice:

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/s/ Justin Bradford Smith
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